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PTC/SB/05 (12/97)
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+ Approved for use through 09/30/00. OMB 0651-0032
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UTILITY PATENT APPLICATION **TRANSMITTAL**

First Named Inventor or Application Identifier

980072

Ren Judkins

Express Mail Label No.

(Only for new nonprovisional applications under 37 CFR 1.53(b))

EM203499395US

| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | Assistant Commissioner for Patents ADDRESS TO: Box Patent Application Washington, DC 20231 | | | |
|---|--|--|--|--|
| 1. X Fee Transmittal Form (Submit an original, and a duplicate for fee processing) 2. X Specification [Total Pages 3 2] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 3. X Drawing(s) (35 USC 113) [Total Sheets 5] 4. Oath or Declaration [Total Pages 2] a. X Newly executed (original or copy) b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) (for continuation Reference (useable if Box 4b is checked) (The entire disclosure of the prior application, from which copy of the oath or declaration is supplied under Box 4 | Mashington, DC 20231 6. Microfiche Computer Program (Appendix) 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. Computer Readable Copy b. Paper Copy (identical to computer copy) c. Statement verifying identity of above copies ACCOMPANYING APPLICATION PARTS 8. Assignment Papers (cover sheet & document(s)) 9. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee) 10. English Translation Document (if applicable) 11. X Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations 12. Preliminary Amendment 13. X Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 14. Small Entity Statement filed in prior application, Statement(s) Statement(s) Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. X Other: Request for Interferenc | | | |
| is considered as being part of the disclosure of the accompanying application and is hereby incorporated b | Declaration of Lynn J. | | | |
| reference therein. 17. If a CONTINUING APPLICATION, check appropriate box as | nd supply the requisite information: | | | |
| Continuation Divisional X Continuation-in-part | (CIP) of prior application No: 08 ,756,282 and | | | |
| 18. CORRESPOND | Patent No. 5,630,898 | | | |
| Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) | | | | |
| Lynn J. Alstadt | | | | |
| Buchanan Ingersoll, P.C. | | | | |
| One Oxford Centre | One Oxford Centre | | | |
| 301 Grant Street, 20th Floor | | | | |
| GTY Pittsburgh STATE | PA ZIP CODE 15219 | | | |
| COUNTRY USA TELEPHONE | | | | |

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PTO/SB/17 (12-97)
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Note: Effective October 1, 1997. Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT | (\$) 2,706.00

Complete if Known **Application Number** Filing Date Ren Judkins First Named Inventor Group Art Unit **Examiner Name** 980072 Attorney Docket Number

| METHOD OF PAYMENT (check one) | FEE CALCULATION (continued) | | | |
|---|---|-------------|--|--|
| | 3. ADDITIONAL FEES | | | |
| The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Deposit | Large Entity Small Entity Fee Fee Fee Fee Fee Fee Fee Code (\$) Fee Description Fe | e Paid | | |
| Account 02-4553 | 105 130 205 65 Surcharge - late filing fee or oath | | | |
| Number Deposit Account Name Buchanan Ingersoll | 127 50 227 25 Surcharge - late provisional filing fee or cover sheet. | | | |
| | 139 130 139 130 Non-English specification | | | |
| Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Notice of Allowance | 147 2,520 147 2,520 For filing a request for reexamination | | | |
| STORY MODEL | 112 920* 112 920* Requesting publication of SIR prior to Examiner action | | | |
| 2. X Payment Enclosed: X Check Order Other | 113 1,840° 113 1,840° Requesting publication of SIR after Examiner action | | | |
| | 115 110 215 55 Extension for reply within first month | | | |
| FEE CALCULATION | 116 400 216 200 Extension for reply within second month | | | |
| 1. FILING FEE | 117 950 217 475 Extension for reply within third month | | | |
| Large Entity Small Entity | 118 1,510 218 755 Extension for reply within fourth month | | | |
| Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$) | 128 2,060 228 1,030 Extension for reply within fifth month | | | |
| 101 790 201 395 Utility filing fee 790 | 119 310 219 155 Notice of Appeal | | | |
| 106 330 206 165 Design filling fee | 120 310 220 155 Filing a brief in support of an appeal | | | |
| 107 540 207 270 Plant filing fee | 121 270 221 135 Request for oral hearing | | | |
| 108 790 208 395 Reissue filing fee | 138 1,510 138 1,510 Petition to institute a public use proceeding Petition to revive - unavoidable | | | |
| 114 150 214 75 Provisional filing fee | 140 110 240 55 | | | |
| SUBTOTAL (1) (\$) 790.00 | 141 1,320 241 000 | | | |
| Fee from | 142 1,320 242 000 | | | |
| 2. CLAIMS Extra below Fee Paid | 143 450 243 225 Design issue fee | | | |
| Total Claims 81 -20 = 61 X 22 = 1342 Independent 10 -3 = 7 X 82 = 5.74 | 122 130 122 130 Petitions to the Commissioner | | | |
| Independent 10 -3 = / X 8.2 = 5.7.4 | 123 50 123 50 Petitions related to provisional applications | | | |
| munipo bopondon omno | 126 240 126 240 Submission of Information Disclosure Stmt | | | |
| Large Entity Small Entity Fee Fee Fee Fee Description Code (\$) Code (\$) | 581 40 581 40 Recording each patent assignment per property (times number of properties) | | | |
| 103 22 203 11 Claims in excess of 20 | 146 790 246 395 Filing a submission after final rejection | | | |
| 102 82 202 41 Independent claims in excess of 3 | (37 ČFR 1.129(a)) | | | |
| 104 270 204 135 Multiple dependent claim | 149 790 249 395 For each additional invention to be examined (37 CFR 1.129(b)) | | | |
| 109 82 209 41 Reissue independent claims over original patent | Other fee (specify) | | | |
| 110 22 210 11 Reissue claims in excess of 20 and over original patent | Other fee (specify) | | | |
| SUBTOTAL (2) (\$) 2,706 Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) | | | | |

| SUBMITTED B | Υ | | Complete (if | applicable) |
|--------------------------|-----------------|----------------|----------------------------|-------------|
| Typed or Printed Name | Lyan J. Alstadt | | Reg. Number | 29,362 |
| Signature | Han Mutacht | Date 2/2.//9/8 | Deposit Account User ID | 02-4553 |

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 - SEPARATE PAPER

ATTORNEY'S DOCKET NO.
980072

| | IN RE APPLICATION OF | | | |
|---------------|--------------------------------|-------|--|--|
| | | | | |
| | Ren Judkins | | | |
| SERIAL NUMBER | | FILED | | |
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| | PLEATED AND CELLULAR MATERIALS | | | |
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| | GRP. ART UNIT EXAMINER | ` | | |
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"Express Mail" mailing label number EM203499395US

Date of deposit February 2, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Lynn J. Alstadt

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3509

PATENT

Examiner

PLEATED AND CELLULAR

MATERIALS

REN JUDKINS

In re application of

Serial No.: Unassigned; continuationin-part of Serial No. 08/756,282,

filed November 25, 1996

Filed: Herewith

REQUEST FOR INTERFERENCE

Pittsburgh, Pennsylvania 15219

February 2, 1998

Hon. Commissioner of Patents Washington, D.C. 20231

Sir:

Request for Interference

Pursuant to 37 C.F.R. § 1.607, applicant respectfully requests that the Office declare an interference between the present application and United States Patent Nos., 5,692,550 and 5,701,940.

The claims of this application copy all of the claims in United States Patent Nos. 5,692,550 and 5,701,940. Applicant's claims 1 through 34 are the same as claims 1 through 34 of the '940 patent. Applicant's claims 35 through 81 correspond to and are presented in the same order as claims 1 through 27 of the '550 patent.

This application is a continuation-in-part of United States Patent Application Serial No. 08/756,282, filed November 25, 1996. This application presents drawings, namely Figures 6 through 10, that are not presented in the parent application. Figures 6 and 7 show the tabbed cellular material attached between a headrail and a bottomrail with lift cords passing through the cellular material.

In the parent '282 application applicant amended his pending claims to copy claims from the '550 patent and the '940 patent which relate to tabbed cellular material that is not connected between a headrail and a bottomrail. To the extent that these claims are entered and found allowable in the parent application, applicant is willing to cancel them from this application.

Suggestion of Proposed Counts

Applicant suggests that the interference address counts corresponding to each of the independent claims. They are claims 1, 11, 12, 18, 25, 34, 35, 44, 58 and 81.

Basis upon which applicant is entitled to a judgment relative to the patentee

Submitted herewith are copies of a declaration of the applicant and a declaration of his counsel, Lynn J, Alstadt, filed by in the parent '282 application. Applicant's declaration alleges inventorship prior to the effective filing date of the '550 patent and the '940 patent which is March 10, 1994. Attached to both declarations is a drawing dated February 25, 1991, which shows all elements of the tabbed cellular material in the counts. Mr. Alstadt's declaration corroborates the drawing, reduction to practice and diligence. This evidence prima facie demonstrates that applicant is entitled to judgment on priority.

Conclusion

Since applicant has established that he is prima facie entitled to a judgment relative to the patentees of the '550 patent and the '940 patent, declaration of an interference is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL, P.C.

Lynn/J. Alstadt

Registration No. 29,362

Attorneys for Applicant

(412) 562-1632